

**71<sup>st</sup> District #2 Integrating Committee Meeting Minutes**  
**February 5, 1999 – 8:00 a.m.**  
**Board of County Commissioners' Conference Room**  
**Cincinnati, OH 45202**

The meeting was called to order by Chairman Brayshaw at 8:10 a.m. Board Members Present: Mayor Dan Brooks, Mr. Joseph Charlton, Mr. Dick Huddleston, Mr. Richard Mendes, Mayor Dave Savage, Mr. Bill Seitz and Mr. Joe Sykes. Not in Attendance: Mr. Pete Heile had an excused absence.

Support Staff Present: County - Mr. Eric Beck, Mr. Joe Cottrill & Mr. Doug Riddiough; City of Cincinnati - Mr. Dick Cline, & Mr. Joe Vogel; City of North College Hill – Mr. John Knuf.

Also in Attendance: OPWC - Ms. Cathy Coldiron; County – Mr. John Beck, Mr. Ted Hubbard & Mr. Steve Mary; City – Mr. Prem Garg and Mr. Bob Richardson; Enquirer – Mr. Lew Moores; Symmes Township – Mr. Mike Gentry; City of Loveland – Ms. Paulette Leeper; Loveland Area Chamber of Commerce – Mr. Terry Schildmeyer; Century Volkswagen – Mr. Larry Brueshaber; City of Madeira – Mr. Mel Martin and Mr. Thomas Moeller.

The first item on the agenda was to approve the District #2 Meeting Minutes of December 11, 1998. Mr. Seitz stated that he wanted to clarify one item from the minutes taken at the December 11<sup>th</sup> meeting. The item noted was on top of page six as follows:

"Mr. Seitz made the motion to add Mr. Heile's amendment as the fifth point for the support staff; the motion was seconded by Mr. Huddleston and passed unanimously".

Mr. Seitz followed by saying that we actually passed all five points at that time and it should be corrected as follows:

"Mr. Seitz made the motion to adopt all five points for the support staff; the motion was seconded by Mr. Huddleston and passed unanimously".

The minutes of December 11, 1998 have been amended and are accurate for the record. Mr. Huddleston moved approval of corrected minutes; seconded by Mr. Sykes, and passed unanimously.

Chairman Brayshaw moved to the second item of the agenda with regards to the Support Staff Items. Mr. Cottrill presented this topic regarding the Policy Statement. It was requested that the Support Staff come up with a Policy Statement concerning projects that have to be re-advertised because of the change with the MBE program. Mr. Mendes moved the motion. Mayor Savage shared his concern and after some discussion with Mr. Seitz, then agreed with the motion; the motion was seconded by Mr. Huddleston and passed unanimously.

Mr. Cottrill added an item to the agenda entitled "Report of the Findings". Handouts were provided. He noted these findings were prepared by the Support Staff and were mailed out a week or so prior to this meeting for their viewing. Letters were also sent to Hamilton County and the City of Cincinnati regarding the four projects in question. They were asked to provide the amount of "Repair/Replacement Component" costs, the "Expansion Component" costs, and how much will be spent in the first and second year. Mr. Seitz asked if the Support Staff had analyzed the data submitted by the jurisdictions. Mr. Cottrill noted there had not been a meeting with the Support Staff since the letters came back. Mr. Huddleston asked if any of the material changed from what the assumptions were. Mr. Cottrill noted that he didn't notice anything irregular about the information provided. Loveland Madeira Road has a 50/50 split for "Repair/Replacement". Based on discussion, phasing of that project would be \$1.5 million spent the first year and \$1.7 million spent the second year. The City of Cincinnati did the same thing on their projects. They are listed, as estimates of what they think will happen on the proposed Hopple Street and Paddock Road projects. Mr. Cottrill added, they are not sure what type of analysis can be done.

After further discussion, Mr. Seitz asked how they are planning to fund each of the projects with LTIP or SCIP, starting with Loveland-Madeira Road. Chairman Brayshaw stated this was to be voted on today. Mr. Cline added that the original recommendation from the Support Staff, (unphased) showed everything except for the Mehring Way project. Mr. Seitz continued with Loveland-Madeira Road as an example. It's a 50/50 deal, allegedly between "Repair/Replacement" and "Expansion". Which suggests the relevance of this exercise for the splitting exercise as being which pot we encumber for Round 14. The parts of expansion, like in the case of Loveland-Madeira Road, just for example, in the second year \$600,000 out of that allegedly is expansion. So if we were to decide to split that project, we could fund it in line with the "Repair/Replacement" versus the "Expansion Components" and encumber the relative LTIP and SCIP funds accordingly. Remember we are trying to work towards two separate rating systems, LTIP and SCIP. The idea being that some of these bigger projects that have significant "Expansion Components" to them, would then be going out of the LTIP pot and not crowding the SCIP pot. Chairman Brayshaw stated there is 50% match to cover "Expansion" and the other 50% of the job could be for "Repair/Replacement". Mr. Cottrill added, these are just estimates and that it is a total guess how much money will be spent each year, until completion of projects.

Mr. Huddleston asked what would be the effect if there was an acceleration of schedule on any or all of these projects. Is the funding available? Mr. Cottrill stated we could only pay as we have the money. On a project like Loveland-Madeira Road we have the construction phasing on the plans as being a two-year job. Chairman Brayshaw stated, usually the first year is a short year because it doesn't start until after July 1<sup>st</sup>, and it is the middle of construction season before the project begins.

Mr. Seitz then moved the discussion to Hopple Street as an example. He stated that it was bothersome to him that these projects are being put in as SCIP projects. You are using the match for the "Repair" part of it, and you are using the SCIP dollars for the "Expansion" money. SCIP is not designed for the "Expansion". That is what LTIP is for. Mr. Cottrill said that when a jurisdiction apply, they don't apply for SCIP or LTIP. The application is filed and then the Support Staff does the rating and puts them into the appropriate category. Also you can have up to 50% of a project as expansion using SCIP funds, as per ORC 164.

Chairman Brayshaw then stated the Federal Government is paying 80% "Expansion" and 20% Local (OPWC) for "Rehabilitation". After much discussion, Mr. Mendes summed it up by stating the federal government is paying for the "Expansion Component" plus the rest of their money goes towards their "Rehabilitation" and the balance of the rehabilitation money is the OPWC money. There is far more federal money in the project than just the "Expansion Component". The federal funds cover the "Expansion Component" and cover a large portion of what is left on the "Rehabilitation". The leveraging of the OPWC money is for that last increment.

Then Mr. Seitz asked how this was pitched to the Support Staff. Mr. Cottrill said that when a project is applied for, the application is simply filed with the District. No one applies for either SCIP or LTIP funds. The Support Staff puts the project it into the appropriate category.

Mr. Seitz proceeded with the Paddock Road application. Two million dollars, which is 19% of the total. According to the breakout sheet that was prepared, \$2 million dollars and some change is "Expansion" to be expended in the second year. One million dollars is "Repair/Replacement" to be spent in the first year. So now what are we saying? We are going to give them \$2 million dollars out of SCIP and split it between two years? Is that what we are saying? Mr. Mendes replied "Yes" under the split philosophy. It will be a \$1 million each year for two years. Mr. Seitz stated that if we split the rating projects to SCIP and LTIP the second year's encumbrance would be on LTIP and not SCIP. Mr. Mendes stated that he didn't think that was necessarily true. In the second year there is \$2 million dollars in "Expansion" under \$7.3 million dollars in "Repair". So the amount that comes from OPWC is still considerably less than the amount that is needed to do "Repair/Replacement" alone. Even if you took all the "Expansion" and allocated that to the matching share, it would be \$7.3 million dollars worth of "Repair/Replacement" in the second year. Mr. Seitz said, if we say that the "Expansion" part is the match, how is this one being matched? The federal government again?

Chairman Brayshaw stated 20% federal and 1% City and OKI. Mr. Seitz stated that it just so happens that the amount of the money being sought from this Committee for these projects always goes to the "Repair/Replacement" and never to the "Expansion". Even though the numbers now on two of them begin to look suspicious. Chairman Brayshaw stated the Support Staff made the judgment as to what list it should be put on. Whether it is LTIP or SCIP that was done by the Support Staff as a suggestion to the Integrating Committee. If the Integrating Committee would object to that, then they could reorder it in a different manner.

Mr. Cline stated that when the original application comes in they have to split it out in the original amount for "Repair/Replacement" versus "Expansion". This is between specifying which projects are two years, and the first two expenditures that will be occurring. This is the additional information that you are getting. This versus what was submitted on the original application. Mr. Seitz asked if these numbers match up to the original application. It was stated "Yes" by the Support Staff. All we are doing here is allocating which year it's left to be expended. Without trying to say whether the amount of money they get will be SCIP or LTIP money.

Mr. Seitz stated that he was not proposing to change the system for this year. He said that he thought one of the reasons we wanted this was in connection with a split rating system for next year. In the event we also go along with the proposal to split. In which case we would need to know which pot we are going to earmark these two projects for next year. Which pot are we going to mortgage our future on? Mayor Brooks stated with the equity thing, at least we are going equally against the other. Right now everybody is in the same deal. Chairman Brayshaw said that if you tie up all the money in one round you can't use it for other projects. Mayor Brooks said he wasn't talking about condition, but about the future. Chairman Brayshaw continued by saying this also relates to the future. If you bank the big projects, you are tying that money up for two years and not able to use most of it until the second year. This way you are able to use it the year that it is programmed for. It's like money management and a better way to manage money. Mr. Seitz acknowledged that he never disagreed with that philosophy, but we are moving towards a new philosophy.

Mr. Huddleston asked the question if whether we approved our list that is going to Columbus this year. We then need a second motion at this time or at some future time if the mechanisms adopt it for separate rating systems. Do we motion this meeting on our preferred list to say where those funds are coming from or do we do that after the funding mechanisms are adopted? Mr. Cottrill stated the list of order has already been voted on and approved at the December 11<sup>th</sup> meeting. What needs to be decided now is which of these projects, if you are going to split the projects, which projects you want to put into SCIP or LTIP. Once that has been decided, then as far as what next years rating system may or may not be. Mr. Cline asked Mr. Huddleston if he was asking whether this committee has to decide not only which pot of money the Round 13 money comes out of, but also to specify which pot of money for Round 14? Mr. Huddleston stated split the projects. Mr. Cline stated that historically we generally allocate the money from the same pot in the second year as was specified in the first. He asked if Ms. Coldiron had any comments of whether it's permitted to get switched from the second year or not. Is there a second project agreement that is written. Ms. Coldiron indicated "Yes" but her understanding is that they have to fund a project from one pot of money, then same project two different years. It was asked, "What about in different years?" Ms. Coldiron said that she would have to check into it.

Mr. Seitz then continued by saying that we have already had a motion. This was one reason why he wanted the minutes clarified. Part four of the five-part motion from last time was that the staff was to furnish a report, itemizing the statutory criteria for "SCIP" versus "LTIP". Then explain why these criteria are the same or different and how. Then apply those recommendations to develop a separate rating system for SCIP and LTIP. We said points three and four could wait. We have already directed the Support Staff to establish a separate rating system. We have also agreed that it didn't have to be done by the next meeting. The only reason for the questions about the breakdowns that were furnished is that it has some relevance to the separate rating system issue. The compromise that could be agreed with, is whatever we agreed to do on splitting will not be a determination as to whether the money is funded if the second year money comes out of one pot or the other.

Reasons: (a) Ms. Coldiron has to check into it as a matter of law, and (b) because we want to review the separate rating system. If we have a separate rating system, and there is four or five million of mortgage projects. Chairman Brayshaw stated the carried over projects of about \$6 million from the last time. This round currently would only be about \$2 or \$3 million. So it has dropped considerably. Mr. Seitz stated that \$2 or \$3 million under the split proposal we would mortgage \$3 million of next years money. Mr. Cottrill stated it would be less than half. Mr. Seitz said that he would go along with it as long as it was made clear that we were not saying what pot of money that second year of money comes from. Mr. Cottrill stated that what Ms. Coldiron was saying is that if you decide to fund, and you decide to split projects and you decide to put it into LTIP. Next year's money you can't fund out of SCIP, it has to go out of LTIP. It was restated that she would be checking on this. Chairman Brayshaw stated this could be held off until we get a response. Mr. Seitz made the comment that he was going to shove as many of these split projects into LTIP as he could. Chairman Brayshaw said there was less money in the LTIP pot, which is also a factor. Mr. Cline stated that it was a matter of mechanics, as long as we are getting funding in the second year, any jurisdiction receiving funds on a split project of Round 13, it shouldn't matter to them what pot of money it comes out of. Mr. Seitz said that it wouldn't matter to the receiving jurisdiction at all. Mr. Cline stated the reason that he could see that this question couldn't be deferred. Chairman Brayshaw stated that he thought it could be deferred without handicapping this new round of funding, so he suggested we go ahead with approval.

Mr. Charlton referred to Mr. Cottrill saying that there were two questions that had to be decided today. 1) To decide what split there would be between SCIP and LTIP. 2) What is the bottom line? Chairman Brayshaw asked that we deal with this year's program and asked if we have enough information. Each agency that had a project that is split has given us information. We may agree or disagree with the information. The best estimate was given.

Mayor Savage asked, with the scenarios that have been presented, what is the strategy that is permitting the largest number of projects to be funded to the largest number of jurisdictions? Chairman Brayshaw answered the split proposal, which will get you twice as many this year. Less than half of the carryover for next year that we had this time. Mayor Savage asked if the recommendations, with respect to LTIP and SCIP on this year's funding, increase, decrease or maintain the same number of jurisdictions and the number of projects that are funded. Mr. Seitz stated that it was ineffective. So if we take the recommendation, that's as much as we can get funded for the largest number of jurisdictions that are available? Chairman Brayshaw stated that he would be turning in about \$357,000 from the Crookshank/Anderson Ferry Road Project. The Delhi project estimate used for the application was less than the estimate used for bidding. Hamilton County cannot release any funds out of the Delhi project. Mr. Seitz reminded him that he had said there had been \$1 million dollars. Chairman Brayshaw said the estimate for the application was far lower than the estimate used for construction and even though the bids came in under the estimate, the bids weren't too far different from the original application amount.

Chairman Brayshaw summarized the split project proposal, which manages our money far better than the alternate of banking money for next year. That will allow us to go down through with contingency to project #16 and we're only funding through project #8 with the other proposal. Mr. Charlton stated that he was understanding that if we go with the split concept we will be able to do projects #1 through #13 funding and the others will have a likely possibility for funding.

Mr. Huddleston made the suggestion to open the meeting and let some of the interested parties speak on their behalf. Chairman Brayshaw acknowledged the suggestion and encouraged the interested parties to speak.

Ms. Leeper from the City of Loveland stated the Cincinnati Enquirer reported that out of the top 10 school districts in the Cincinnati area, Loveland was selected as #1 in terms of growth. She followed by saying that Loveland's Bond Issue was just passed in order to build schools. They desperately need the Loveland-Madeira Road improvement and urged the Board to consider the project. She also noted the representation from the Loveland Chamber of Commerce, the Business Community, Symmes Township and the City of Loveland. They have all worked together to come up with a local match that is from their own pockets and not from any

other source. Chairman Brayshaw acknowledged that 50% was a sizeable match, shared by the City, Township, Business Community, and the County Engineer.

Mr. Charlton asked when the Loveland project was scheduled to start. Mr. Hubbard replied that it would be after July 1<sup>st</sup>. This would be dependent upon the right of way acquisition, whether the plans are complete, and then moving forward with construction.

Chairman Brayshaw asked if there were any questions of the group. Mr. Gentry from Symmes Township stated they have all their township roads improvements already identified. This past November the Township voters approved a new road levy. He also shared how working together sets a new standard and a good move for the community. Chairman Brayshaw said the community should be commended for their efforts.

Mr. Hubbard stated this project is consistent within the Hamilton County Engineer's Office and is trying to create for roads adjacent to interstate highways. This Board knows that we have been able to approve Fields Ertel/Mason Road area with your help, and also have been able to approve Kellogg Avenue. These are vitally important, because they effect the high volume interstate areas. At the present time E. Kemper Road and Loveland-Madeira Road are at failures during peak hours, as regarding a level of service. This project will bring the level of service in this facility up to a level of Service (B), which is acceptable. This is not only a project that effects Loveland and Symmes Township; it effects our regional arterial and it needs to be considered. Chairman Brayshaw added that it effects Clermont County, because we approved Hopewell Bridge and this is another way to get up to the north. It's a regional arterial and that's the reason why we have had multi county cooperation on improvement of traffic problems in that area. Not only with Clermont County, but also with Warren County.

Mr. Schildmeyer, Loveland Area Chamber of Commerce also expressed the vitality of how the area is improving, their under huge expansion, which include building more schools and stressed they now have five banks.

Mr. Moeller, City of Madeira made reference to the article in the Suburban Life Press regarding SCIP funding for Miami Avenue. Statements were made noting that Miami Avenue is an old County Road and that this fact, plus the commitment to a 50% local match, would have assured it's funding in Round 13.

Chairman Brayshaw noted that Miami Avenue is a City street and not a County Road. He stressed that Madeira has been treated fairly over the years, both by the SCIP and MRF programs (i.e., Camargo Road).

After much discussion Mr. Seitz stated their comments were legitimate issues, as well as difficult issues. The ultimate answer to Madeira's problem, which is the same problem that North College Hill, Loveland, Miami Township and Green Township has, is that we have to do something about the proliferation of multi-million dollar projects. We have talked about caps, a member of vehicles to solve this problem and none seem to be forthcoming except for this possibility that we are going to work on this year of two different rating systems, because we think and have had extensive discussions with knowledgeable people that by using a single rating system we are sort of improperly mixing the statutory criteria for LTIP and SCIP and the big projects point out better under that single rating system than if we had a separate rating system that was faithful to the degree to the original intent of SCIP, which was "Repair/Replacement", share the wealth, everybody gets something out of the pot. So we are going to work on that.

Mr. Cottrill noted that was not true and that it's not for everyone to get something out of the pot. Mr. Seitz said that it was to share funding and get projects that were needing repair done. It was a repair infrastructure situation. It was really not meant to jack up a street, vacate a street, and build a new street. The issue on Mehring Way is actually an issue of how they got condition points. But if you want to do it, if you want to follow that example, you can go out and have Mayor Schneider and Mr. Martin take jack hammers on Miami Avenue and you'll get (25) condition points, just like the City did on Mehring Way.

Chairman Brayshaw suggested moving on with business. Mr. Huddleston made the motion for the committee to adopt the split funding as recommended by the Support Staff; Mr. Mendes seconded the motion.

Mayor Brooks asked how the Support Staff felt about this motion. Mr. Cottrill stated they really don't have an opinion. The Support Staff prepares the projects with the splitting or without the splitting. It is the Integrating Committee's decision how to do it. Mr. Cline said the proposal of this was coming from the Hamilton County Engineer. The Support Staff was never asked per se, to air prepare an analysis of splitting the proposal. Our proposal was simply what was presented to you back in December, which was a list of Mehring Way LTIP and Blue Rock, Hopple, Paddock and Lockland Water Plant out of SCIP, with no phasing.

Mr. Huddleston restated his motion and amended it to say, "As prepared by the Support Staff". Mayor Savage reconfirmed the motion is approving information on the top sheet of page one of the handout.

Chairman Brayshaw opened discussion of the breakdown sheets. Mayor Brooks stated that he was prepared to support the split, with the understanding that we look forward to investigating along the lines that Mr. Seitz suggested. And also to make every effort as a Board to keep that tendency of basically from going from \$6 million to \$2.5 million, so that we don't bankrupt future projects. Eventually the fear is that it's going to catch up and one year we're not going to fund any projects.

Mayor Brooks then stated for the record, that it is an agreement and the spirit of this organization to work toward an equitable non bankrupted type of funding system. Chairman Brayshaw added his goal was the same. I think we've done a good job as a Board, and I think the Support Staff as well has done a good job.

Further discussion, Mr. Seitz questioned the City of Norwood/Highland and Orchard Project has fluctuated between (59) and (58) points on five different spreadsheets. Apparently the issue is that it originally received (2) points for number of existing users. The most recent spreadsheet that was handed out today has (3) points for number of existing users. Mr. Cottrill noted that was correct. The (2) points were incorrect and it was a mistake on his part. The Support Staff has all the documentation right here. He further explained that he had given it a (2) and marked it in red and changed it to a (3) and initialed it, with the date of October 29, 1998. It increased to (59). He basically forgot to change the one sheet and apologized to everyone for not making the correction. The mistake was made and it does receive (59) points. Mr. Seitz followed by saying that he was confused because the appeal doesn't contain anything about Norwood. Mr. Cottrill noted this was done before the appeals. This was an honest mistake and it was handled that way rather than through the appeal process.

Mr. Mendes made the suggestion with regards to the administrative money, to set money aside this year for someone to look at the data processing system that is currently used. Have them build in some edits so there is a difference between a raw numbers and score that will match up and send a flag. This will take the burden off of the Support Staff to have four versions of something and then it's consistent. We are at the point where we need a professional upgrade for a tie vote. Chairman Brayshaw stated that he had just found out when there is a tie vote; the Support Staff has a program that automatically applies the recommendation to the Integrating Committee in order to break the tie. Mr. Cottrill also noted there are three or four people who go over these reports.

Chairman Brayshaw asked if they were ready for a vote on the motion. Mr. Seitz asked if it was clear or do we need to amend the motion that all we are doing is establishing the funding for SCIP and LTIP for Round 13? Not making any determinations at this time as to where the other half of the split will be paid out of for Round 14. Can that be the sense of the group that it is in the minutes so there is no doubt about it three months from now? To sum it up, Mr. Mendes stated the following two statements: First that all we are establishing is the first funding. Secondly, that we are also establishing there will be funding for the second half of the projects, and not determining which pot they come from.

Mr. Mendes then restated the above for the minutes. "The Board has committed to funding the second part of this to split the projects, but we have not determined from which source that will come from next year". Chairman Brayshaw asked if the Board was ready to vote on the motion. All Board members were in favor of splitting the projects; no one opposed the motion.

Mr. Cottrill presented the next item of the agenda by asking the Board's recommendation for SCIP and LTIP designations. Mr. Charlton asked if this was the recommendation from the Support Staff. Mr. Cottrill stated the projects have been put in the SCIP and LTIP categories to best utilize the funds. Mr. Cline added that the Support Staff does not decide which category. He also stated the Support Staff has no involvement with the phasing split proposal. Chairman Brayshaw acknowledged that it was his proposal, and will take responsibility for the split concept. Mr. Cline said that he questioned whether the additional money that was being sent back into it from the closed out project, could be used for more allocation. Generally we are directed to encumber projects that cover 115% of the allocation. That it was available under SCIP and LTIP for Round 13 and an additional 15% that's where you draw the cut line. This year because we are a little bit later we had a couple closed out projects come in; the cut line was placed deeper encumbering more than 115% of the allocation and the Support Staff questioned that. Then Mr. Cottrill checked with Ms. Coldiron from OPWC on that move. OPWC said it was fine. Mr. Cline continued, saying that as far as our review of it, the Support Staff did not meet to deal with this question. Simply because the Integrating Committee did not direct us to review a phased concept. Chairman Brayshaw stated that one reason it went to 121% is because the last project was \$700,000. You don't want to go part way into it; you want to take the whole project. So the \$700,000 for the last project, take the whole project.

Mr. Mendes moved the adoption of the SCIP funding scheme; Mayor Brooks seconded the motion and it passed unanimously.

Mr. Mendes moved the adoption of the LTIP funding scheme; Mr. Seitz seconded the motion and it passed unanimously.

Mr. Cottrill presented the Small Governments projects. There are ten of them. Mr. Cottrill stated that since the State has done away with the MBE portion of the Small Government rating system, his experience is that the smaller the request, the better for the application. After going through the ratings he also looked at the size of the request.

Mr. Huddleston moved the adoption to approve the Small Governments proposal; Mr. Seitz seconded the motion and it passed unanimously.

Mr. Sykes acknowledged that Mr. Seitz is officially a member of the Small Governments Commission and Ms. Coldiron acknowledged the same. Mr. Seitz said he knew it was official, but had not received anything in writing as of this date.

Mr. Cline presented the next issue for discussion with regards to three contingency projects listed as Colerain Township, Addyston, and Green Township. In the past, when money has been returned from closed out projects there have been questions as to how it should be allocated with the contingency jobs. How long do you hang on to it before you skip over to the next one if it's a large project? Do you decide to go down and try to find somebody that wants less money? The Colerain Township job is \$720,000 and that is a large project. The next one is the Addyston job is for \$55,000. It remains that Colerain's project rates higher than Addyston and it should be the next one funded if at all possible. Is it the sense of this Committee that money should be held for a specific amount of time to try to get a township job funded here? Or if \$55,000 comes in and Colerain obviously can't proceed with the project due to it's insufficiency, is it the sense of the Committee that we should skip over that job and go to Addyston? The question will come up within the next few months.

Mr. Seitz acknowledged this debate last year at this time. Our minutes contain several paragraphs of discussion on this point. He stated that he wasn't prepared to deal with that today due to fact of not having the minutes from January, February, or March of 1997 or 1998. He would like to see those minutes before we revisit the question. Mr. Cottrill said that he had called Ms. Coldiron concerning this issue and that it would have to be a substantial amount of money, because it is not worth OPWC's time to get into these small amounts. Chairman Brayshaw stated they should use the \$357,000 that Hamilton County Engineer's Office is turning back in as a starting point. Mr. Seitz would still like to defer to the minutes from last year and add to the agenda of the next meeting and discuss at that time. At that time we promised to get our separate rating system dealt with in the first quarter of 1999, so we will have another meeting in the next month and we can add that to the list and refresh our recollection of the prior minutes.

It was requested of the Recording Secretary to find the referenced prior minutes and highlight the relevant portions of that discussion. In addition to that, Mayor Brooks would like to see if it is possible, some sort of history as far as how much historically has been turned back in. Mr. Cottrill stated that he could show how many contingency projects there are. Mayor Brooks said that he wanted the dollar amount. Mr. Cottrill stated there is less money coming back than use to come back. Mayor Brooks said that he would like to see a trend. Mr. Cottrill said that he would prepare that report for the next meeting.

Mr. Huddleston made the suggestion that the Support Staff ought to look at this coming back not necessarily with a rating system, but with a lot of suggestions.

The next meeting was set for March 19, 1999 at 8:00 a.m. Mr. Mendes moved the meeting be adjourned and Mr. Huddleston seconded the motion. The meeting adjourned at 9:40 a.m.

Respectfully submitted,

Cathy Listermann  
Recording Secretary



## **POLICY STATEMENT**

Wherefore, a November, 16, 1998 Advisory of the Ohio Public Works Commission (OPWC) advising all jurisdictions receiving SCIP and LTIP funding for approved projects that provisions of Section 123.151 of the Ohio Revised Code have been declared unconstitutional by the United States District Court, Southern District of Ohio, and that the same court refused to stay its decision pending appeal. The Advisory continued, indicating that "all references to State Minority Business Enterprise requirements must be removed from pending bid advertisements as well as un-executed contracts for construction, procurement and professional services on projects funded by the Commission."

The Advisory also prescribed that "projects currently being advertised must be withdrawn and re-advertised without State MBE requirements." This particular directive has the potential of delaying projects currently being bid, with such a delay triggering the issuance of a Cancellation Notice by the OPWC to a jurisdiction. And since Criterion 1 of our District's "Rating System" can be applied so as to penalize any jurisdiction for delays in bidding SCIP/LTIP projects, it may be necessary to address this eventually.

### **Policy Adjustment:**

Therefore, it is the sense of the District 2 Integrating Committee that the point penalty specified in Criterion 1 of our Rating System may be waived by the Integrating Committee if an OPWC project has been unavoidably delayed because of rebidding due to the Federal District Court decision on MBE participation requirements. The Support Staff will be asked to analyze any request for a waiver submitted by a jurisdiction, and to make a recommendation to the Committee as to the justification of the requested waiver.

71st District 2 Integrating Committee Meeting  
County Commissioner's Conference Room  
County Administration Building  
Room 603  
Cincinnati, Ohio 45202  
February 5, 1999 - 8:00 a.m.

## AGENDA

- 1.) Approval of previous meeting's minutes
- 2.) Support Staff Items:
  - (A) Policy statement concerning penalizing jurisdictions under Rating Criterion #1
  - (B) Presentation of final Round 13 recommended projects for OPWC funding.

*Vote required for:*

    1. Projects for SCIP funding
    2. Projects for LTIP funding
    3. Projects to be submitted to the Small Government Commission
- 3.) Small Governments Subcommittee report.
- 4.) Old business.
- 5.) New business.
- 6.) Next meeting date is ?
- 7.) Adjourn.

71<sup>st</sup> District #2 Integrating Committee Meeting  
Board of County Commissioners' Conference Room  
Room 603, County Administration Building  
Cincinnati, OH 45202

February 5, 1999

BOARD ATTENDANCE LIST

<u>NAME</u>	<u>AFFILIATION</u>	<u>PHONE</u>
Richard MENDES	City of Cin.	352-2457
DAVE SAVAGE	HCMC (W. morning)	821-7600
Joseph Chautin	City of Cin.	352-3218
Robert W. Chautin	Ham County Com	326-7479
Bill Branshan	Ham County	
David R. Bell	HCMC (N.C.H.)	521-7413
Bill Lee	Green Twp	357-9332
Joe Dylor	Miami Twp	941 3393

71<sup>st</sup> District #2 Integrating Committee Meeting  
Board of County Commissioners' Conference Room  
Room 603, County Administration Building  
Cincinnati, OH 45202

February 5, 1999

VISITOR LIST

<u>NAME</u>	<u>AFFILIATION</u>	<u>PHONE</u>
• Steve Mary	Hamilton County	946-4272
• Joe Cottal	"	4257
• DOUGLAS RIDDIOUGH	SUPPORT STAFF	946-4277
• Eric Beck	" "	
• John Knuf	NCH	521-7413
• JOHN BECK	HAMILTON COUNTY ENGINEER	946-4254
• Mike Gentry	Symmes Township	677-0252
• Cathy Coldiron	OPWC	614 752-8114
• Ted B Hubbard	Ham. Co. Engineer's Office	946-4268
• Dick Cline	CITY OF CINT.	352-6235
• PAULETTE LEEPER	CITY OF LOVELAND	677-2631
• Larry Brueshaber	Century VW	791-9090
• THOMAS W. MOELLER	CITY OF MADRIDIA	561-7228

[illegible]